

U.S.S.N. 09/844,920

1

PD-201030 A

**REMARKS**

Applicants wish to thank the Examiner for considering the present application. In the Final Office Action dated October 19, 2005, claims 1-19 are pending in the application. Applicants respectfully request the Examiner for reconsideration of the rejection.

Claims 1-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Fuller* (5,729,297) in view of *Hylton* (5,708,961) and *Wonfor* (6,381,747).

Claim 1 is directed to a system of distributing electronic content that includes a network operations center generating a broadcast signal having digital electronic content, a communication backbone coupled to the network operations center, and a base station receiving the broadcast signal from the backbone and forming a wireless local area network. The base station over-the-air broadcasts at least a portion of the broadcast signal as a rebroadcast signal using the wireless local area network. A user appliance is also included in the system within the wireless local area network and receives the rebroadcast signal. The user appliance has conditional access software therein. The conditional access software allows the user appliance to access the rebroadcast signal.

The *Fuller* system teaches the video distribution system suitable for use in a hotel. The *Fuller* system receives information from a satellite 106 at downlink facility 108. The hospitality system 108 distributes the system to various rooms within the hotel. The Examiner points to the satellite links as a means for over-the-air coupling or broadcasting to redistribution device 108, 110 and 112. The *Fuller* reference does not teach or suggest the use of over-the-air broadcasting using the network 204. The network 204 is not taught or suggested to be a wireless system. Applicants believe that the system is a wired system that uses microwaves or RF that are broadcast through the wires or optical fibers that exist within the hotel. It should be noted that cable television systems typically use high frequency to transmit signals within wires. This is one reason cable television uses coaxial shielded cables.

U.S.S.N. 09/844,920

2

PD-201030 A

The Examiner does agree that the *Fuller* reference does not teach a wireless local area network. The Examiner cites the *Hylton* reference for teaching that a user terminal side or satellite data receiver within the receiving station comprises a group of terminals. The *Hylton* reference is a wireless on-premises video distribution signal system. Each of the users in the system is presumed to belong to the same system and is associated with a central distribution. Thus, because of the use of the *Hylton* system, conditional access is not an issue.

The Examiner agrees that the *Fulton* and *Hylton* references do not address a user appliance having conditional access software therein. Applicants agree that a conditional access module 38 is found in set top box 10 shown in Fig. 3 of the *Wonfor* reference. However, this is in a set top box and not in a user appliance set forth in the present application. Applicants do not agree that a set top box is a user appliance. The TV coupled to the set top box may be a user appliance but Applicants respectfully submit that a set top box is not a user appliance. Even if the set top box is a user appliance, it should be noted that the user appliance is positioned within a wireless local area network. This makes the user appliance a wireless device. There is no teaching in the *Wonfor* reference for a user appliance positioned within a wireless local area network that receives a rebroadcast signal. That is, the present claims call for a base station that rebroadcasts a signal using a wireless local area network. Applicants respectfully submit that the set top box does not rebroadcast the signals it receives. The set top box merely processes the signal as a pass through but does not rebroadcast the signal. Furthermore, the set top box does not rebroadcast the signal using a wireless local area network. It should be noted that the user appliance itself is claimed as having the conditional access software therein. As mentioned above, Applicants do not consider a set top box a user appliance but rather the end device positioned within a wireless local area network as a user appliance. No conditional access to software is found in the TV or the VCR of the *Wonfor* reference. The user appliance receives over-the-air rebroadcasted signals, both of which are not taught or suggested in the *Wonfor* reference.

U.S.S.N. 09/844,920

3

PD-201030 A

In summary, none of the references teach or suggest a user appliance positioned within a wireless local area network that receives a rebroadcast signal from a base station and the user appliance having conditional access software therein so that the conditional access software allows the user appliance to access the rebroadcast signal. Thus, the *Wonfor* reference is deficient in several aspects.

Claim 13 is another independent claim that is directed to a method of distributing electronic content. The final step of Claim 13 recites receiving the over-the-air electronic content through a user appliance having conditional access software therein, said conditional access software allowing the user appliance to access the rebroadcast signal. Because of the similarities of Claim 13 to Claim 1, Applicants respectfully request the Examiner to reconsider this rejection for the same reasons set forth above.

Claim 16 recites a method of distributing electronic content using a compressed signal at a base station and over-the-air rebroadcasting the compressed signal using the wireless local area network. Claim 16 also recites allowing conditional access at a user device through a conditional access software in the user device. These claims have similarities to Claim 1 with respect to the rebroadcasting and the conditional access software. Therefore, these claims are also believed to be allowable for the same reasons set forth above with respect to Claim 1.

Claim 19 is directed to the base station that includes compression software and a transmitting area network antenna. The base station includes a wireless local area network interface coupled to the transmitting area antenna and wirelessly broadcasting the compressed signal through the transmitting area network as a compressed wireless rebroadcast signal. On page 10 of the Final Office Action, Applicants can find no teaching or allegation of a teaching of wirelessly broadcasting the compressed signal through the transmitting area network antenna as a compressed wireless rebroadcast signal. The Examiner merely states that the *Fuller* reference does not clearly show broadcasting the compressed signal through the transmitting area network antenna. This

U.S.S.N. 09/844,920

4

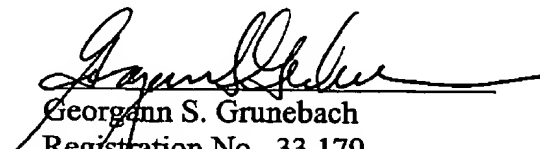
PD-201030 A

is not surprising since the full signal in both the *Hylton* and the *Fuller* references are desired to be received and provided to the television.

Claims 2-12, 14-15 and 17-18 are dependent upon allowable independent claims and are believed to be allowable for the same reasons set forth above. Applicants therefore respectfully request the Examiner to reconsider the rejection of these claims.

In light of the above remarks, Applicants submit that all objections and rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Respectfully submitted,

  
Georgann S. Grunebach  
Registration No. 33,179  
Attorney for Applicants

Dated: December 5, 2005

The DIRECTV Group, Inc.  
RE / R11 / A109  
P.O. Box 956  
2250 E. Imperial Highway  
El Segundo, CA 90245-0956  
Telephone: (310) 964-4615